

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

MK STRATEGIES, LLC	:	
	:	HONORABLE JOSEPH E. IRENAS
Plaintiff,	:	
	:	CIVIL ACTION NO. 1:07-cv-02519
v.	:	
	:	<b>ORDER GRANTING DEFENDANT'S</b>
ANN TAYLOR STORES CORPORATION	:	<b>MOTION TO DISMISS</b>
and THE TOWER GROUP, Inc.	:	
	:	(Docket No. 5)
Defendants.	:	
	:	

**APPEARANCES:**

THOMAS H. EHRHARDT, LLC  
By: Thomas H. Ehrhardt  
527 Main Street  
Riverton, NJ 08077  
Counsel for Plaintiff

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
By: Cynthia V. Fitzgerald  
Four Times Square  
New York, New York 10036  
Counsel for Defendant Ann Taylor Stores Corporation

**IRENAS**, Senior District Judge:

This matter appeared before the Court on Defendant Ann Taylor Store Corporation's motion to dismiss the Complaint (Docket No. 5) pursuant to Fed. R. Civ. P. 12(b)(6). The Court having considered the submissions of the parties, for the reasons set forth in an opinion issued by this Court on even date herewith, and for good cause appearing;

**IT IS** on this 6th day of December, 2007,

**ORDERED THAT** Defendant's Motion to Dismiss is hereby **GRANTED** in its entirety without prejudice to Plaintiff filing an amended complaint no later than January 7, 2008.

S/ Joseph E. Irenas  
**JOSEPH E. IRENAS, S.U.S.D.J.**